

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

JOHN RODGERS BURNLEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 3:23CV160(RCY)
	)	
MARIA LOZODA VALENTINE, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

This matter is before the Court on Plaintiff’s Motion to Proceed *In Forma Pauperis* for Service of Process Upon the Defendants. (ECF No. 2.) Plaintiff filed his Complaint on March 7, 2023 and paid the necessary filing fee to docket the action. (ECF No. 1.) Plaintiff now moves the Court to grant him *in forma pauperis* (“IFP”) status because the cost of service is anticipated to exceed Plaintiff’s income and available funds.<sup>1</sup> Plaintiff has filed a Memorandum in Support of his Motion (ECF No. 3), as well as supporting documentation outlining Plaintiff’s financial status. To ensure an accurate and complete assessment of Plaintiff’s ability to pay the costs associated with service of this lawsuit, the Court ORDERS that:

1. The Clerk is DIRECTED to provide Plaintiff with the Court’s Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) (“IFP Application”), as well as the Court’s Pro Se Reference Handbook.

---

<sup>1</sup> While it is more common for plaintiffs to request IFP status prior to paying the filing fee for a lawsuit, the Court interprets the IFP-authorizing statute, 28 U.S.C. § 1915, as saying that partial or full payment of a filing fee is not preclusive of qualification for IFP status.

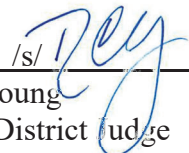
2. Within thirty (30) days from the date of entry hereof, Plaintiff must file his completed and signed IFP Application, including the Affidavit portion of the Application. Failure to complete the Application and Affidavit **will result in summary denial of the present Motion.**

3. Plaintiff is prohibited from filing any other pleadings, motions, memoranda, or material not specifically required herein or otherwise specifically ordered by the Court until either he is granted leave to proceed *in forma pauperis* OR he affects service on all defendants and files proof of the same. Any documents submitted in violation of this paragraph will not be considered.

The Court reserves judgment on Plaintiff's Motion (ECF No. 2) until Plaintiff files his IFP Application.

The Clerk is DIRECTED to send a copy of this Memorandum Order and above-named materials to Plaintiff.

It is so ORDERED.

  
\_\_\_\_\_  
/s/ Roderick C. Young  
United States District Judge

Date: March 13, 2023  
Richmond, Virginia